

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1–10 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 1–10 were rejected under 35 U.S.C. § 103(a) as being anticipated by Hashimoto (U.S. Patent 6,335,909) in view of “Applicant’s admitted prior art.”

However, present claim 1 now recites: “wherein the focus balance control means changes the value of said variable coefficient Kf, based on the focus error center value and the balance adjusted focus error signal, until a minimum difference is obtained between the focus error signal and the focus error center value.” (Claim 1) This limitation is found in the Specification at page 15, lines 6-11. Further, present claim 6 now recites: “wherein the tracking balance control means changes the value of said variable coefficient Kt, based on the tracking error center value and the balance adjusted tracking error signal, until a main focus spot of said light beam is just above a recording track on said signal recording surface of the optical disk.” (Claim 6) This limitation is found in the Specification at page 16, lines 1-10.

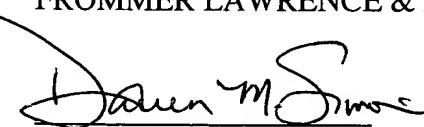
Applicants respectfully submit that Hashimoto does not disclose analogous equivalents to the focus error center value, the tracking error center value, the variable coefficient Kf, and variable coefficient Kt. Hence, Hashimoto does not meet the above limitations as recited in the amended independent claims. Accordingly, for at least these reasons, Hashimoto in combination with Applicant's admitted prior art fails to obviate the present invention and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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